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SUMMARY RECORD OF THE 27th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

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* Items which the Committee has decided to consider together.

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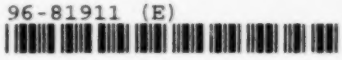

The meeting was called to order at 10.10 a.m.

AGENDA ITEM 108: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/51/3 (Parts I and II), A/51/18 (Supplement 18), A/51/90, 301, 427, 430, 435, A/51/462-S/1996/831 and A/51/541)

AGENDA ITEM 109: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/51/392, 414 and A/51/532-S/1996/864)

1. Mr. AMOR (Tunisia), speaking on agenda item 108, said that his Government's foreign policy had always been to assist those who were fighting against racism. At the national level, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, legislation had been adopted prohibiting definitions of nationality based on racial or religious criteria and making incitement to racial hatred a criminal offence. His Government attached great importance to education as a means of inculcating the principles of equality and non-discrimination.

2. Tunisia was deeply concerned at the resurgence of racism and intolerance throughout the world, particularly against migrant workers, minorities and other vulnerable groups, as evidenced by the Special Rapporteur's report (A/51/301), which pointed to the link between racism and the current worldwide immigration crisis. The growing use of modern information technology to disseminate racism ideologies and the desecration of places of worship were also deeply alarming.

3. The international community must play a greater role in combating racism. To that end, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination must be implemented. His delegation also favoured the convening of a world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance.

4. Turning to agenda item 109, he said that Tunisia remained committed to the realization by all peoples of the right to self-determination. The Palestinian people, however, continued to be denied that right. The hopes born of the peace process had been shattered by the policies and actions of the new Israeli Government. If peace was to be achieved in the region, Israel must respect the obligations incumbent upon it under the Charter of the United Nations and Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and withdraw from Palestinian territory, including Jerusalem, and the other Arab territories occupied since 1967.

5. Mrs. FRITSCHE (Liechtenstein), speaking on agenda item 109, said that by the time her country had become a Member State six years earlier, the first phase of the realization of the right to self-determination, namely, the attainment of independence by peoples under colonial domination, had virtually been completed. Since then, the concept of self-determination had evolved, with minorities seeking greater autonomy within the nation States in which they resided. Many conflicts occurred because there were no channels in the parent State through which minorities could assert their distinctive identities. Often, they saw secession as the only solution, even though the parent State was likely to resist that option - by force of arms, if necessary. Currently, the United Nations was called upon far more frequently to deal with internal

conflicts than with wars between States, as had previously been the case. Her delegation believed that the realization by minorities of some degree of self-determination was crucial to the maintenance of international peace and security.

6. The Liechtenstein initiative, introduced by the country's Head of State, Prince Hans-Adam II, in 1991 in his statement to the General Assembly, aimed to defuse the tensions which could trigger conflicts by granting distinctive communities living within nation States progressive degrees of autonomy, ranging from limited self-administration to internal self-government. While such arrangements were essentially a matter for individual communities and the Governments of the States in which they resided, the initiative proposed a procedural framework for outside assistance, should that be required.

7. The Liechtenstein initiative was currently being developed through the research programme established at Princeton University's Woodrow Wilson School of Public and International Affairs with a grant given by the Principality in commemoration of the fiftieth anniversary of the United Nations. Within the framework of the programme, two international conferences on the subject of self-determination had recently been held (A/50/492). A book containing the conference papers would be published shortly. A third conference was planned in the second half of 1997. Member States were encouraged to participate. While much had been achieved, the work at Princeton would bear fruit only if States were prepared to build upon the practical proposals advanced through the Liechtenstein initiative. By so doing, they would make an immense contribution to the emergence of a safer, fairer and more peaceful world.

8. Mr. MATNAI (Israel), speaking on agenda item 108, said that the elimination of racism and racial discrimination was a goal which his Government held especially dear, for the Jewish people had, over the centuries, been the victims of unparalleled racial hatred, culminating in the Nazi Holocaust. The international community must learn from that dark chapter in its history. His delegation welcomed the attention devoted by the Special Rapporteur on racism in his report (A/51/301) to anti-Semitism in general and the denial of the Holocaust in particular.

9. Paradoxically, while the world was often likened to a "global village", the phenomenon of tribalism was becoming ever more widespread. The international community must take measures to combat that threat. The Israeli Declaration of Independence stated clearly that all citizens should enjoy equal social and political rights, while legislation barred parties espousing a racist ideology from seeking election to the Knesset, the Israeli Parliament. His Government's treatment of Israel's non-Jewish citizens - Muslims, Christians, Druze and others - was exemplary.

10. Turning to agenda item 109, he recalled that the United Nations had recognized the right of the Jewish people to a homeland. Yet since its foundation, the State of Israel had faced aggression and hostility from its Arab neighbours. His Government was committed to the search for peace. It was his hope that the current negotiations with the Palestinians would lead to a comprehensive, just and lasting settlement and that peace with Syria and Lebanon would follow. The Israeli and Palestinian peoples must put aside their differences and work together to combat the evils of fanaticism, violence and

poverty, the legacy of decades of conflict and mistrust in the region. Any peace agreement must, however, guarantee the security of all Israeli citizens.

11. There had already been some progress towards peace. The recent holding of free elections in the Palestinian autonomous areas had been an important step forward in that regard. However, the adoption by the Third Committee of political resolutions on the Palestinian question might hinder further progress and sour the atmosphere in which the negotiations were being conducted. He regretted therefore the statements made by certain delegations to the effect that it was the new Israeli Government which bore responsibility for the recent setbacks in the peace process. He recalled that the elections in Israel had taken place against a background of terrorist violence by Islamic fundamentalists. While neighbouring States might have preferred to negotiate with the previous regime, they must accept the choice of the Israeli people. The new Government was, in any case, as committed to the peace process as its predecessor had been.

12. Mr. KRLIU (The former Yugoslav Republic of Macedonia) said that much had been achieved by the international community in the fight against racism, in particular, the dismantling of apartheid, but much remained to be done. The horrors of the war in Bosnia and Herzegovina had illustrated all too vividly the tragic consequences of discrimination and intolerance which had led, in his own region, to ethnic cleansing.

13. While many States had passed laws declaring racial discrimination to be a criminal offence, legislation alone was not sufficient to eliminate racism. There was often a disparity between the principles espoused by countries and the realities of everyday life. Since no country could combat the phenomenon of racism in isolation, he welcomed such international initiatives as the Third Decade to Combat Racism and Racial Discrimination. The recommendations of the Committee on the Elimination of Racial Discrimination provided valuable guidelines for measures at the national level. At the regional level, he wished to draw the Committee's attention to the work of the European Commission against Racism and Intolerance, established by the Council of Europe to analyse the situation in the European States and propose measures for the elimination of those scourges.

14. His Government, which presided over a multicultural society, was sensitive to the need to promote tolerance. In addition to its affirmative action policies, it was raising awareness of the principles of tolerance and non-discrimination through the education system. The contribution of non-governmental organizations to that process was invaluable.

15. The CHAIRMAN invited members to address questions to Mr. Fall (Assistant Secretary-General for Human Rights) and Mr. Glèlè-Ahanhanzo (Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance).

16. Mr. AGGREY (Ghana) asked whether the Special Rapporteur was aware of any reported instances of racial or sexual discrimination within the Secretariat or the United Nations system as a whole, and whether his mandate would enable him to investigate such instances.

17. Mr. XIE BOHUA (China) noted that paragraph 20 of the French and Chinese versions of the Special Rapporteur's report (A/51/301) correctly referred to Taiwan as a province of China, whereas the English version referred simply to Taiwan. He hoped that the English version would be corrected accordingly and that the Arabic, Russian and Spanish versions would be checked to see whether the same error had occurred in them. Corrigenda should be issued as appropriate.

18. Mr. REYES RODRÍGUEZ (Cuba) thanked the Assistant Secretary-General for the information provided on consultations with Governments, intergovernmental organizations and non-governmental organizations regarding the possible holding of a world conference on racism. Recalling that a note had been sent by the Centre for Human Rights to the Permanent Missions in Geneva of all Member States, he asked why that note had not drawn attention to paragraph 12 of General Assembly resolution 50/136, which requested the Secretary-General to consult Member States and intergovernmental, as well as non-governmental, organizations on the possibility of holding a world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance. Many Member States and organizations had made clear their support for the holding of such a conference. It would have been extremely useful for the Secretariat to draft a report concerning the consultations.

19. Mr. GLÈLÈ-AHANHANZO (Special Rapporteur of the Commission on Human Rights), referring to the question raised by the representative of Ghana, said that while his mandate did not cover sexual discrimination, he had had cause on a number of occasions to mention instances of such discrimination in his reports or in his discussions with national authorities. Clearly, in certain countries there were cases of double discrimination where groups of women were subjected to discrimination on grounds of both sex and race or religion. No instances of discrimination within the United Nations system had been reported to him.

20. As to the point raised by the Chinese delegation, the error would be drawn to the attention of the Secretariat and appropriate corrections would be made.

21. He agreed with the representative of Cuba that a special meeting or conference on racism should be held. Racism was assuming alarming proportions throughout the world and the international community must pool its resources to deal with the problem.

22. Mr. FALL (Assistant Secretary-General for Human Rights), noting that several delegations had already spoken in favour of the holding of the proposed conference and that none had spoken against it, suggested that a decision on the matter might be taken by the General Assembly at its current session.

23. Mr. ARDA (Turkey) asked in what way the Special Rapporteur would gather information from Governments, intergovernmental organizations and non-governmental organizations; whether the reports to be examined by the Commission on Human Rights would be translated into all the working languages in time for the Commission's next session; and in what way the reorganization of the Centre for Human Rights would affect the preparation of reports by the Special Rapporteur.

24. Mr. AGGREY (Ghana) asked the Special Rapporteur to state clearly whether his mandate would enable him to investigate reports of discrimination within the Secretariat, should he hear of such incidents. He also requested the Assistant Secretary-General for Human Rights to provide further information to the Committee concerning the restructuring of the Centre for Human Rights.

25. Mr. GLÈLÈ-AHANHANZO (Special Rapporteur of the Commission on Human Rights) said that, in accordance with the relevant resolutions, the Centre for Human Rights had sent notes verbales to Member States and non-governmental organizations requesting information on all forms of discrimination in their countries or areas of work. Unfortunately, few Governments and non-governmental organizations had provided such information. The Special Rapporteur's work was thus being hampered by a lack of assistance on the part of Governments and non-governmental organizations, as well as by the Centre's shortage of staff and financial resources. He urged Governments and non-governmental organizations to assist him in his task by sending the necessary information to him through the Centre for Human Rights.

26. Special Rapporteurs were not international civil servants working in the Centre for Human Rights. They were independent experts with mandates that they carried out with the limited means placed at their disposal. During field missions, for example, they received only travel and per diem allowances. All other expenses were borne by them personally. With regard to the proposal for a world conference on racism, he said that if the necessary funds were provided to the Centre, consultations would be conducted with experts who would then carry out preliminary research before a preparatory meeting for the conference was held. In that way, detailed documents would be available for consideration at the conference.

27. In carrying out his mandate, the Special Rapporteur on racism and racial discrimination considered all forms of discrimination, such as discrimination against women and children, and indicated the existence of such discrimination in his reports so that the other Special Rapporteurs dealing with such matters could make use of that information. In the course of his work, he requested statistics from Governments and non-governmental organizations and, where necessary, drew attention to instances of discrimination in a range of areas against various population groups.

28. Mr. FALL (Assistant Secretary-General for Human Rights) noted that in his report (A/51/301), the Special Rapporteur had indicated that it had not been possible to transmit the notes verbales in question to Member States in time to gather the necessary information for the preparation of the report. The notes verbales had been sent on 3 June 1996, the session of the Commission for Human Rights having ended in late April. Taking into account the normal procedures and practices, he did not feel that that had been too late. The notes verbales had concluded with a request that the information in question be sent to the Centre for Human Rights before 30 July 1996. A second note verbale had been sent as a reminder.

29. Owing to the very difficult financial and budgetary situation affecting conference services, documents submitted for translation after a deadline could not be translated. That had been the case with the three reports on the Special Rapporteur's field missions, which had been submitted for translation after the

relevant deadline and therefore had not been translated for the 1996 session of the Commission on Human Rights. Measures had been taken to ensure that those reports would be translated for the Commission's next session.

30. The question of a world conference on racism had been brought up in numerous reports of the Special Rapporteur and discussed on many occasions by the Commission on Human Rights. Since the issue had been given thorough consideration, he felt that, at the current stage, it was a question of determining whether the General Assembly wished to convene such a conference or not. Lastly, he believed that the question of the impact of restructuring on the work of both the Centre for Human Rights and the Special Rapporteur could most usefully be raised when the Committee considered the report of the High Commissioner for Human Rights and engaged in a dialogue with him.

31. Ms. FOO (Singapore) said that her delegation had serious reservations about the manner in which the Special Rapporteur's report (A/51/301) had been prepared and about its factual accuracy.

AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/C.3/51/L.14 and L.20)

32. Mr. NAVROT (Poland), speaking also on behalf of the other sponsor, South Africa, introduced draft resolution A/C.3/51/L.14 on the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees. Poland and South Africa believed that their participation in the work of the Executive Committee would be beneficial for the Programme and hoped that the Third Committee would support the draft resolution.

33. Mr. WILLE (Norway), introducing draft resolution A/C.3/51/L.20 on the Office of the United Nations High Commissioner for Refugees, said that Bulgaria and Costa Rica had become sponsors. The large number of sponsors, representing all geographical regions, reflected the global concern about refugees and displaced persons and the universal support for UNHCR. The sponsors hoped that the draft resolution would, as in the past, be adopted by consensus.

34. Mr. AGGREY (Ghana), Mr. KRLIU (The former Yugoslav Republic of Macedonia) and Mr. BASNYAT (Nepal) said that their delegations wished to become sponsors of draft resolution A/C.3/51/L.20.

The meeting rose at 11.40 p.m.